

REMARKS

Claims 1 through 33 were pending in the application. Claims 12 through 16 and 20 through 33 have been withdrawn from consideration as being drawn to a non-elected species.

Claims 1, 5, 7-11, and 17-19 stand rejected. Claims 2-4 and 6 have been objected to for being dependent upon a rejected base claim, but otherwise allowable.

Claim 1, 5, 7-11, and 17-19 under § 103(a) as obvious over Lewis '145 in view of Muderlak '718. Applicant respectfully submits that independent claim 1 as amended and presented herein patentably distinguishes over the cited combination of references, as well as dependent claims 2-19.

Claim 1 as amended herein calls for the dispensing pump mechanism to be movable in a horizontal direction relative to the housing for actuation of the dispenser. The motor driven actuator comprises a member that is slidable in a horizontal path to engage and move the dispensing pump mechanism to a dispensing position. Applicant respectfully submits that independent claim 1 is allowable for essentially the same reasons that the Examiner indicated that claim 2 is allowable. In particular, the dispensing mechanism of Muderlak '718 does not include a pump mechanism that is movable in a horizontal direction relative to the housing, or a motor driven actuator that includes a member slidable in a horizontal path to engage and move the pump mechanism. Dependent claim 2 adds further structural limitations with respect to the dispensing pump mechanism, but applicant submits that the patentably distinguishing features of claim 2 are now incorporated in claim 1.

Accordingly, it is respectfully submitted that independent claim 1 is allowable and that claims 2-19 depending from claim 1 are also allowable.


Independent claim 20 was initially withdrawn from consideration. By way of this Amendment, independent claim 20 has been amended to incorporate the limitations of dependent claim 21 drawn to the dispensing pump mechanism being a linearly slidable cylinder having a delivery channel terminating at the delivery end, with the cylinder slidable within a horizontally disposed pump chamber defined within the reservoir. The motor driven actuator is slidable in a horizontal path to engage and move the cylinder to a dispensing position within the delivery channel. Claim 20 is narrower in scope than the generic claim 1 and essentially incorporates the features of claim 2 that were indicated as allowable by the Examiner. Accordingly, applicant respectfully submits that independent claim 20 is now proper for consideration and allowance in the present application.

Claim 21 has been canceled, and claims 22 through 33 depend directly or indirectly from claim 20 and are thus allowable for at least the reasons claim 20 is allowable.

With the present Amendment, applicant respectfully submits that all of the pending claims are allowable, and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at his convenience should he have any questions regarding this matter or require any additional information.

Respectfully submitted,

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